

After recording, please return to:

Washington State Salmon Recovery Board
P. O. Box 40917
Olympia, WA 98504-0917

LAND TITLE OF SKAGIT COUNTY

ACCOMMODATION RECORDING

Document Title: Deed of Right to Use Land for Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: Ptn S ½ of NE ¼ & Ptn Gov. Lots 1 & 2, 30-35-10 E W. M., and fully set forth on page 2. Situated in the County of Skagit, State of Washington.

Assessor's Property Tax Parcel/Account Number: P45671



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Skagit County Auditor

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DEED OF RIGHT TO USE LAND FOR

SALMON RECOVERY

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 22 2010

Amount Paid \$
Skagit Co. Treasurer
By *main* Deputy

The Grantor, City of Seattle, acting by and through Seattle City Light, for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Skagit Floodplain Habitat Acquisition Phase II, Project Number 09-1448A signed by the Grantor on the 3rd day of March, 2010, and by the Salmon Recovery Funding Board on the 10th day of March, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding

Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be: (1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

That portion of the following described tract lying Southerly of New State Highway 20;
That portion of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ and of Government Lots 1 and 2 in Section 30, Township 35 North, Range 10 East, W.M. described as follows:

Beginning at the one-sixteenth corner of the Northeast $\frac{1}{4}$ of said Section 30 and between Sections 29 and 30, Township 35 North, Range 10 East, W.M.;
thence North $89^{\circ}57'$ West along one-sixteenth line 2,640 feet to the centerline of said Section 30;
thence South 1,182.5 feet along the centerline of said Section 30 to the South side of the Old State Highway;
thence North $87^{\circ}30'$ East 531.5 feet along said Old State Highway to the true point of beginning;
thence South $14^{\circ}51'$ East 988.6 feet;
thence North $67^{\circ}15'$ East to the quarter corner between said Sections 30 and 29;
thence North to the South line of the Old State Highway;
thence Southwesterly along the Southerly line of the Old State Highway to the true point of beginning.

EXCEPT County road,

AND EXCEPT City of Seattle rights of way,

AND ALSO EXCEPT that portion of Government Lots 1 and 2 of said Section 30 lying South of the channel of the Skagit River as the same existed on September 3, 1946,

AND ALSO EXCEPT that portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and of Government Lot 2 of said Section 30, lying between Secondary State Highway 17-A (now State Highway No. 20) as the same is now established and staked upon the ground according to field notes now on file in the Office of the Director of State Highways, Olympia, Washington and the City of Seattle Railway right of way as secured in Skagit County Condemnation Proceeding No. 9510, Verdict No. 8,

AND ALSO EXCEPT all the portion conveyed to the State of Washington, the Department of Game by Quit Claim Deed recorded under Auditor's File No. 669849, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



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This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 17th day of November, 2010.

By: Colleen McShane for Lynn Best
Lynn Best, Director, Seattle City Light, Environmental Affairs Division

ATTEST:

STATE OF WASHINGTON)

) SS

COUNTY OF _____)

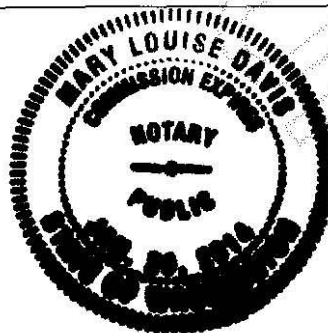
THIS IS TO CERTIFY that on this 17th day of November, 2010, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Colleen McShane to me. This individual is known to be the acting Director of the SCL Env. Aff. Div. that executed the foregoing deed and acknowledged to me that they signed and sealed the same as the free and voluntary act and deed of said Seattle City Light Env. Affairs and on oath stated that they were authorized to execute said instrument and that the seal affixed is the seal of said _____

WITNESS my hand and official seal the day and year in this certificate first above written.

Mary Louise Davis

Notary Public in and for the State of Washington, residing in Edmonds WA
County.

My commission expires 1-20-2014



Denise Krownbell
SCL ESA Lands Deed Acceptance ORD
February 3, 2011
Version 1